

## SECTION 35-10

### PENALTY

#### 35-10-100

#### **PENALTY -** (Amended by A-668-01-12)

- (a) **GENERAL** - Any person, firm or corporation violating any provision of this Chapter where no other penalty is provided shall be fined not less than Ten and no/100 Dollars (\$10.00) nor more than Seven Hundred Fifty and no/100 Dollars (\$750.00) for each offense.
- (b) **“P” TICKETS/HANG-ON NOTICES** – The Police Department is authorized to place “P” tickets (also known as hang-on notices) on every vehicle parked in violation of any of the provisions of Section 35-11-1300 of this Chapter, except for the provisions of Section 35-11-1301.3. The Police Department is also authorized to issue “P” tickets to any person accused of a violation of any of the following sections of this Chapter:

35-3-401  
35-3-411  
35-3-413  
35-3-701  
35-11-208(a)(13) (added by A-668-01-12)  
35-11-1001 through 35-11-1011, except for 35-11-1006  
35-11-1427  
35-11-1501 through 35-11-1514  
35-12-100 through 35-12-101  
35-12-200 through 35-12-214  
35-12-301 through 35-12-302  
35-12-401 through 35-12-405  
35-12-500 through 35-12-503  
35-12-600 through 35-12-610, except for 35-12-607.1 and 35-12-608  
35-14-101 through 35-14-103  
35-14-108

A fine in the amount of \$25.00 will be charged for any “P” ticket violations as set forth above. Violators issued such notices may request a hearing in the Circuit Court of DuPage County within 10 days of the date of the original violation or may settle and compromise the claim by paying to the Village the respective amounts set forth in the following schedule and within the times set forth in the following schedule:

- (1) Payment of \$25.00 for each violation within 10 days of the date of the original violation.
- (2) A FINAL NOTICE, which stipulates the date on which collection of the \$25.00 penalty shall be turned over to a collection agency approved by the Village for collection will be issued after 10 days.
- (3) In the event that said payment is made after the FINAL NOTICE and prior to the collection agency taking any action to collect the penalty, \$50.00 shall be accepted as settlement.
- (4) If the person accused of the violation does not settle the claim or request a hearing in the Circuit Court of DuPage County, he/she must request of the Chief of Police within 10 days of the date of the notice of violation that an administrative hearing be held. Upon receipt of a hearing request, the Chief of Police of the Village, or the designee of the Chief of Police, shall conduct the hearing. The person requesting a hearing shall be notified of the time, date and place of the

administrative hearing. After the person accused of a violation has had an opportunity to present his or her testimony, the Chief of Police or the designee of the Chief of Police shall advise the person of his/her findings. If the Chief of Police or the designee of the Chief of Police determines that the violation notice was valid and that an ordinance violation occurred, the \$25.00 penalty shall be due and payable within 10 days. If the offender fails to pay the fine, the claim may be turned over to a collection agency as set forth in paragraphs 2 and 3 above.

- (5) In the event that actions taken by the collection agency fail to result in payment of the penalty due, a FINAL NOTICE, which stipulates the date on which filing of a complaint with the Clerk of the Circuit Court of DuPage County will be commenced, will be issued. Payment of any fine and costs shall be in such amounts as may be determined and established by the Court.

- (c) **HANDICAPPED PARKING "P" TICKETS/HANG-ON NOTICES** – The Police Department is authorized to place "P" tickets (also known as hang-on notices) on every vehicle parked in violation of the provisions of Section 35-11-1301.3 (amended by A-668-06-07)

A fine in the amount of \$250.00 will be charged for any "P" ticket violations of Section 35-11-1301.3. Violators issued such notices may request a hearing in the Circuit Court of DuPage County within 10 days of the date of the original violation or may settle and compromise the claim by paying to the Village the \$250.00 within the times set forth in the following schedule:

- (1) Payment of \$250.00 for each violation within 10 days of the date of the original violation.
- (2) A FINAL NOTICE, which stipulates the date on which filing of a complaint with the Clerk of the Circuit Court of DuPage County will be commenced, will be issued after 10 days.
- (3) If the person accused of the violation does not settle the claim or request a hearing in the Circuit Court of DuPage County, he/she must request of the Chief of Police within 10 days of the date of the notice of violation that an administrative hearing be held. Upon receipt of a hearing request, the Chief of Police of the Village, or the designee of the Chief of Police, shall conduct the hearing. The person requesting a hearing shall be notified of the time, date and place of the administrative hearing. After the person accused of a violation has had an opportunity to present his or her testimony, the Chief of Police or the designee of the Chief of Police shall advise the person of his/her findings. If the Chief of Police or the designee of the Chief of Police determines that the violation notice was valid and that an ordinance violation occurred, the \$250.00 penalty shall be due and payable within 10 days.
- (4) In the event that payment is not made within the time prescribed in the FINAL NOTICE, and a Notice to Appear has been served and a Complaint filed with the Clerk of the Circuit Court of DuPage County, Illinois, payment of any fine and costs shall be in such amounts as may be determined and established by the Court.